

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

HUYN PHUOC TOAN, A42-619-729
Petitioner,

v.

I.C.E.
and
DOUGLAS C. DEVENYNS
Respondents.

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* CIVIL ACTION NO. WMN-05-2129

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MEMORANDUM

Pending is a 28 U.S.C. § 2241 petition for writ of habeas corpus filed pro se by Huyn Phuoc Toan, an alien subject to a final order of removal. Counsel for Respondents, ICE and Douglas C. Devenyns, Director of the Wicomico County Detention Center, has filed a dispositive motion to dismiss the petition as moot based on Petitioner's August 26, 2005, release from ICE custody under an Order of Supervision. Paper No. 4, Exhibit B.

Petitioner does not challenge the legality of his administratively final removal order. The only relief that he seeks in the Petition is release from custody pending removal. Paper No. 1. Accordingly, Petitioner has been accorded the relief he requests, and the Petition will be dismissed as moot by separate Order.

8/30/05
Date

/s/

William M. Nickerson
United States District Judge